

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
Taramino et al.

CASE NO.: BB1545 USPCT

APPLICATION NO.: 10/586,823

GROUP ART UNIT: UNKNOWN

FILED: 01/28/2005

EXAMINER: UNKNOWN

CONFIRMATION NO.: 8958

FOR: ALTERING ROOT STRUCTURE DURING
PLANT DEVELOPMENT

PETITION TO REVIVE
PURSUANT TO 37 CFR
§ 1.137(B)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition is submitted in response to the Notification of Abandonment dated May 9, 2008 in the above-identified application.

It is respectfully requested that the subject application be revived pursuant to 37 CFR §1.137(b) as a pending application.

The entire delay in filing the required reply from the due date for the reply until the filing of this petition pursuant to 37 CFR §1.137(b) was unintentional.

Applicants believed that the errors in the Sequence Listing had been corrected in Applicant's last response, submitted March 24, 2008. The errors were not corrected due to an oversight and reasons set forth below. Applicants were under the impression that the Sequence Software "Checker" available through the USPTO website would point out any errors in the Sequence Listing, but Applicants were informed (phone call on May 15, 2008 with Anne Corrigan [phone no. 571-272-2501]) that the type of error made in the Sequence Listing in the above-identified application would not be detected by the above-mentioned Software.

This petition is accompanied by the required response.

Please charge the fee required in connection with the filing of this Petition to Revive, under 37 CFR §1.17(m), and any other fee that may be required in connection with the filing of this petition to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,

/SABINE U. EPELBAUM/

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Dated: May 15, 2008